

**From:** [Hohman, Darla](#)  
**To:** [Diana Engleman](#)  
**Subject:** RE: Fomer Shady Acres Expedited Settlement Offer  
**Date:** Thursday, January 26, 2023 9:47:00 AM

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No. I never received the report of the integrity testing on the tanks. Thanks.

Darla

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**From:** Diana Engleman <dianaengleman@yahoo.com>  
**Sent:** Wednesday, January 25, 2023 12:07 PM  
**To:** Hohman, Darla <hohman.darla@epa.gov>  
**Subject:** Re: Fomer Shady Acres Expedited Settlement Offer

I did a training back in September. I will get those training documents over to you shortly. Is that the last thing I need to be in compliance?

Thank you,  
Diana Gingerich

Shady Acres  
435-299-2279  
780 E Main Street,  
Green River, UT  
84525

Sent from Yahoo Mail on Android

On Wed, Jan 25, 2023 at 11:20 AM, Hohman, Darla  
<[hohman.darla@epa.gov](mailto:hohman.darla@epa.gov)> wrote:

Hi Diana,

I still haven't received these documents from you, which means you are still not in compliance. After accepting the Expedited Settlement Offer, you have another 30 days to return to compliance until we finalize the ESA, or you have to ask for more time. I haven't heard anything from you. Because of this, I am giving you until the end of next week to get these documents that I requested below to me, so we can finalize the ESA. If I don't receive them, EPA is rescinding the Expedited Settlement offer and will proceed with a traditional penalty, which means potentially a substantially larger penalty. Please do your best to get this to me by **February 3, 2023**, as I don't want to see you have to pay a higher penalty. Thanks for your attention to this.

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Ms. Darla Hohman  
US Environmental Protection Agency  
1595 Wynkoop Street, MC: 8ENF-RO-O  
Denver, CO 80202-1129  
(303) 312-6953 fax  
(303) 312-6263  
Email: [hohman.darla@epa.gov](mailto:hohman.darla@epa.gov)  
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**From:** Hohman, Darla  
**Sent:** Thursday, January 5, 2023 2:51 PM  
**To:** Diana Engleman <[dianaengleman@yahoo.com](mailto:dianaengleman@yahoo.com)>  
**Subject:** RE: Fomer Shady Acres Expedited Settlement Offer

Hi Diana,

I hope you had a nice holiday.

I haven't looked at the Plan entirely yet, but I will do that today. The last few things I need that I haven't seen are the formal tank inspections. Not the monthly tank inspections, but the ones from a certified tank inspector. Lastly, you are required to conduct annual training for anyone who may respond or be present in the event of a spill. You can conduct this training. You need to discuss the SPCC Plan, where you keep it, etc., and what to do in the event of a spill. You need to document it with a sign in sheet and what was talked about. I will need to see those documents. Thanks, and if you've already sent this stuff, I may need a reminder when it was sent, because I couldn't locate it.

Darla

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**From:** Diana Engleman <[dianaengleman@yahoo.com](mailto:dianaengleman@yahoo.com)>  
**Sent:** Monday, December 12, 2022 11:50 AM  
**To:** Hohman, Darla <[hohman.darla@epa.gov](mailto:hohman.darla@epa.gov)>  
**Cc:** Livingston, Peggy <[Livingston.Peggy@epa.gov](mailto:Livingston.Peggy@epa.gov)>; Chambus, Francisca <[Chambus.Francisca@epa.gov](mailto:Chambus.Francisca@epa.gov)>; Pearson, Janice (she/her/hers) <[pearson.janice@epa.gov](mailto:pearson.janice@epa.gov)>  
**Subject:** Re: Fomer Shady Acres Expedited Settlement Offer

I have signed this document. Please let me know what you need from me to finalize this.

Happy Holidays,

Diana Gingerich

On Thursday, November 10, 2022 at 12:39:28 PM MST, Hohman, Darla <[hohman.darla@epa.gov](mailto:hohman.darla@epa.gov)> wrote:

Dear Ms. Engleman,

On May 18, 2021, Region 8 of the U.S. Environmental Protection Agency conducted an inspection at the former Shady Acres gas station in Green River, Utah. This facility is owned and/or operated by you. The purpose of the inspection was to evaluate the facility's compliance with the Spill Prevention Control and Countermeasure (SPCC) regulations promulgated at 40 CFR Part 112, Subparts A-C, under Section 311(j) of the Clean Water Act (Act), 33 U.S.C. §1321(j).

The EPA has authority under Section 311(b) of the Act to take enforcement actions, including seeking civil penalties, for the alleged violations outlined in the Violations Form. At this time, rather than undertake a more traditional enforcement action for civil penalties, the EPA is offering you the opportunity to enter into the enclosed Expedited Settlement Agreement.

We would request that you submit the signed agreement by email. We ask that you print it, get it signed, and email a pdf of the signed agreement to me, at the email address indicated below, or to the EPA attorney on this matter, Peggy Livingston, at [livingston.peggy@epa.gov](mailto:livingston.peggy@epa.gov).

Please note on the pdf attachment entitled "How to Make a Penalty to EPA\_Financial

Services\_US EPA.pdf,” the relevant type of payment is “Civil Penalties (Regions 1-10),” and the “Additional Instructions” are the second pdf, entitled “Additional Instructions for Making Payments to EPA \_Financial Services\_US EPA.pdf.”

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US Environmental Protection Agency  
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Denver, CO 80202-1129  
(303) 312-6953 fax  
(303) 312-6263  
Email: [hohman.darla@epa.gov](mailto:hohman.darla@epa.gov)  
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